



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-905]

### Certain Polyester Staple Fiber from the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** As a result of this expedited sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on certain polyester staple fiber (PSF) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

**DATES:** Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Whitley Herndon, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-6274.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 1, 2023, Commerce published the notice of initiation of the third sunset review of the AD order on PSF from China<sup>1</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup>

On March 15, 2023, Auriga Polymers Inc, Fiber Industries LLC, and Nan Ya Plastics

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<sup>1</sup> See *Notice of Antidumping Duty Order: Certain Polyester Staple Fiber from the People's Republic of China*, 72 FR 30545 (June 1, 2007) (*Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 12915 (March 1, 2023) (*Initiation Notice*).

Corporation, America (collectively, the domestic interested parties) notified Commerce of their intent to participate within the 15-day period specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as producers of domestic like product in the United States.

On March 30, 2023, Commerce received a complete substantive response to the *Initiation Notice* with respect to the *Order* from the domestic interested parties within the 30-day period specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> Commerce did not receive a substantive response from any other interested parties with respect to the *Order* covered by this sunset review. On April 20, 2023, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties in this sunset review.<sup>5</sup> Pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of this *Order*.

#### Scope of the *Order*

The scope of the *Order* is certain polyester staple fiber from China. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.

#### Analysis of Comments Received

A complete discussion of all issues raised in this sunset review is provided in the accompanying Issues and Decision Memorandum.<sup>6</sup> A list of the issues discussed in the Issues and Decision Memorandum is attached as the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a

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<sup>3</sup> See Domestic Interested Parties' Letter, "Domestic Interested Parties' Notice of Intent to Participate," dated March 15, 2023.

<sup>4</sup> See Domestic Interested Parties' Letter, "Domestic Interested Parties' Substantive Response," dated March 30, 2023.

<sup>5</sup> See Commerce's Letter, "Sunset Reviews Initiated on March 1, 2023," dated April 20, 2023.

<sup>6</sup> See Memorandum, "Issues and Decision Memorandum for the Final Result of the Expedited Third Sunset Review of the Antidumping Duty Order on Certain Polyester Staple Fiber from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice.

complete version of the Issues and Decision Memorandum can be accessed at

<https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would likely lead to a continuation or recurrence of dumping and that the magnitude of the dumping margins likely to prevail would be weighted-average margins up to 44.30 percent.

#### Administrative Protective Order

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

#### Notification to Interested Parties

We are issuing and publishing the results in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218 and 351.221(c)(5)(ii).

Dated: June 5, 2023.

**Lisa W. Wang,**  
*Assistant Secretary*  
*for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. History of the *Order*
- V. Legal Framework
- VI. Discussion of the Issues
  - 1. Likelihood of Continuation or Recurrence of Dumping
  - 2. Magnitude of the Margins of Dumping Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

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